

Clean Air Council



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November 25, 1996

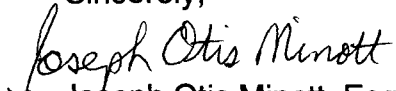
David L. Arnold, Chief
Ozone and Mobile Sources Section
Mail Code 3AT21
U. S. Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

Dear Mr. Arnold:

Enclosed please find the Clean Air Council's comments in response to the Environmental Protection Agency's proposed Disapproval of the Reasonable-Further-Progress Plan for the 1996-1999 Period for the Philadelphia Area.

Thank you for your time and consideration. If you have any questions or concerns, please call me at (215) 567-4004 ext. 223 or Jason Rash at ext. 221.

Sincerely,


Joseph Otis Minott, Esq.
Executive Director





**CLEAN AIR COMMENTS ON EPA'S PROPOSED RULEMAKING ENTITLED:
APPROVAL AND PROMULGATION OF AIR QUALITY IMPLEMENTATION
PLANS; PENNSYLVANIA; DISAPPROVAL OF THE REASONABLE FURTHER-
PROGRESS PLAN FOR THE 1996-1999 PERIOD FOR THE PHILADELPHIA
AREA (Federal Register; Vol. 61, No. 208, 55253-55259, October 25, 1996)**

These comments represent the position of the Clean Air Council on the United States Environmental Protection Agency's proposed disapproval of Pennsylvania's post-1996 rate-of-progress plan (ROP) for the Philadelphia nonattainment area.

The Clean Air Council is a non-profit citizen's organization dedicated to protecting the public's right to breathe clean air. Responses to these comments should be sent to Joseph Otis Minott, Esq. or Jason Rash, Esq., Clean Air Council, 135 S. 19th Street, Suite 300, Philadelphia, Pa. 19103.

The Clean Air Council supports EPA's decision to disapprove Pennsylvania's ROP plan for the Philadelphia nonattainment area. The following briefly outlines the deficiencies with the plan. Each one individually warrants that the state's post-1996 plan be disapproved.

- A. Pennsylvania's baseline emission inventory is invalid and cannot serve as the framework for the post-1996 ROP plan.
- B. Pennsylvania failed to include growth estimates in emissions for the years 1996-1999.
- C. Pennsylvania has omitted both a 1999 target level of emissions and required nitrogen oxide (NOx) inventory and growth information.
- D. Pennsylvania's post-1996 ROP plan is not approvable because it does not include required contingency measures.
- E. The Clean Air Council believes that federal control measures that have not yet been adopted should not be creditable to ROP plans. Example of such measures includes: automobile refinishing regulations, architectural and industrial maintenance coatings regulations, and the consumer products national rule.
- F. The Council also stands by the position that federal measures that have not been adopted yet, but that will be put into place sometime between 1996-1999,



should not be creditable to ROP plans simply because they fall within the prescribed three year period. It must be shown that they will be adopted in enough time to achieve the emissions reductions necessary to meet the requirements under the post-1996 ROP plan.

G. Pennsylvania should not claim or receive credit for NOx reductions in its post-1996 ROP plan because the state has not been adhering to the NOx Memorandum of Understanding (MOU).

Thank you for allowing the Council to comment on this proposed action by EPA.



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building

P.O. Box 8468

Harrisburg, PA 17105-8468

November 22, 1996

Bureau of Air Quality

717-787-9702

Mr. David L. Arnold (3AT21)
Chief, Ozone and Mobile Sources Section
U.S. Environmental Protection Agency, Region III
841 Chestnut Building
Philadelphia, PA 19107

Dear Mr. Arnold:

Thank you for the opportunity to comment on EPA's proposed disapproval of the Reasonable Further Progress Plan for the 1996-99 period for the Philadelphia area that was submitted on November 15, 1994.

As you know, the Department of Environmental Protection is developing a substantial revision of that submission. I am confident that the revised 1999 Reasonable Further Progress submission, which the Department expects to make to EPA in the next several months, will address your concerns as described in the October 25, 1996, Federal Register notice. In particular, the plan will use the updated and revised 1990 inventory to project the 1999 target level, it will include contingency measures for 1999, interim growth estimates will be provided, and if NO_x measures are used to meet the target reductions, a NO_x inventory will be provided and the measures will be specified.

We look forward to working with you to develop a plan that meets all the applicable requirements and is acceptable to EPA, DEP, and the citizens of the Philadelphia area.

Sincerely,

James M. Salvaggio
Director



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Rachel Carson State Office Building
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Harrisburg, PA 17105-8468
November 22, 1996

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Bureau of Air Quality

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Chief, Ozone and Mobile Sources Section
U.S. Environmental Protection Agency, Region III
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